

Appln No. 10/645,267
Amdt date June 23, 2006
Reply to Office action of March 23, 2006

REMARKS/ARGUMENTS

The above amendments and these remarks are responsive to the Office Action mailed on March 23, 2006. Claim 1 has been amended. Claims 31-37 have been added. Claims 15-30 have been canceled. Claims 1-14 and 31-37 are now pending in this application. Reconsideration on the basis of the above amendments and remarks below is kindly requested.

The Examiner rejected claims 1, 3, 5, 11, 12 and 14 under 35 USC §102(b) as being anticipated by Grosh '930. The Examiner rejected claims 1, 3, 5, 6, 11 and 13 under 35 USC §102(b) as being anticipated by Nishiyama, et al. '615. The Examiner rejected claims 1, 2, 3, 5, 11, 12 and 14 under 35 USC §103(a) as being unpatentable over Grosh '930 in view of Grosh '896. Finally, the Examiner rejected claims 1, 3, 5, 6, 9, 11 and 13 under 35 USC §103(a) as being unpatentable over Nishiyama, et al. '615 in further view of Golden '221.

Claim 1 has been amended to require "a porous annulus" so as to clarify that it is directed to a double containment pipeline section which must have a porous annulus between the primary and secondary pipeline sections. Neither of the cited references appear to disclose, teach or suggest a method for forming a double containment pipeline section having a porous annulus between the primary and secondary pipeline sections. Grosh '896 and Grosh '930 appear to disclose a method where sand is sprinkled onto a wet resin such that it forms a solid structural layer. Nishiyama et al. '615 appears to disclose the application of a pre-mixed resin and sand which is applied to a sheet roll, which is then wound around a mandrel 10. When cured, the resin and sand also become a solid structural layer and not a porous annulus as required by claim 1. Furthermore, Golden '221 also does not appear to disclose, teach or suggest a method of forming a double containment pipe having a porous annulus. As such, claim 1 is not anticipated nor rendered obvious by Grosh '930 or Nishiyama, et al. '615 nor Grosh '896 nor Golden '221 either alone or in combination.

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Claims 2, 3, 5, 6, 9 and 11-14 are dependent from claim 1. Claim 1 is now believed to be in condition for allowance. As such, applicant submits that claims 2, 3, 5, 6, 9 and 11-14 are also allowable for the same reasons as claim 1 and for the additional limitations that they contain therein.

Claims 31-37 have been added and are directed to subject matter disclosed in the application as originally filed. No new matter has been added. Claims 31-33 are dependent from claim 1. As such, claims 31-33 should also be in condition for allowance for the same reasons as claim 1 and for the additional limitations they contain therein.

Claims 34-37 are directed to a method for forming a double containment pipeline section comprising "wrapping the tape with adhered granular material around a primary pipeline section such that the tape is sandwiched between the granular material and the primary pipeline section." Neither Gross '930 nor Nishiyama, et al. '615 nor Gross '896, nor Golden '221 appear to disclose a method for forming a double containment pipeline section where a tape with a granular material adhered to its surface is wrapped around a primary pipeline section such that the tape is sandwiched between the granular material and the primary pipeline section. For example, in Nishiyama, et al. '615, the alleged granular material appears to be sandwiched between the alleged tape and the alleged primary pipeline section. As such, applicant submits that claims 34-37 are also allowable over these references.

Claims 4, 7, 8 and 10 have been withdrawn from consideration. However, these claims are directly or indirectly dependent from claim 1. Claim 1 is now believed to be in condition for allowance. As such, applicant submits that claims 4, 7, 8 and 10 should be re-entered and allowed for the same reasons as claim 1 and for the additional limitations they contain therein.

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The rejections to all claims pending in this application are believed to have been overcome and this application is now believed to be in condition for allowance. Should the Examiner have any remaining questions or concerns about the allowability of this application, the Examiner is kindly requested to call the undersigned attorney to discuss them.

Respectfully submitted,
CHRISTIE PARKER & HALE, LLP

By 

Constantine Marantidis
Reg. No. 39,759
626/795-9900

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